

Minutes of the Electoral Area Services Committee Meeting held on Tuesday, October 20, 2009 at 3:00 pm in the Regional District Board Room, 175 Ingram Street, Duncan, BC.

PRESENT

Director B. Harrison, Chair
Director M. Marcotte, Vice-Chair
Director L. Iannidinardo
Director G. Giles
Director K. Kuhn
Director I. Morrison
Director M. Dorey
Director L. Duncan
Director K. Cossey

CVRD STAFF

Tom Anderson, General Manager
Mike Tippett, Manager
Rob Conway, Manager
Dana Beatson, Planner
Brian Duncan, Chief Building Inspector
Nino Morano, Bylaw Enforcement Officer
Warren Jones, Administrator
Cathy Allen, Recording Secretary

**APPROVAL OF
AGENDA**

The Chair noted changes to the agenda which included add-on material to agenda items D2 and SR2, additional Delegations D5 and D6, one hand out letter regarding fireworks, New Business item new APC member, New Business zoning item, and two closed session.

It was Moved and Seconded
That the agenda, as amended, be accepted.

MOTION CARRIED

M1 - MINUTES

It was Moved and Seconded
That the Minutes of the October 6, 2009, EASC meeting be accepted.

MOTION CARRIED

BUSINESS ARISING

There was no business arising.

DELEGATIONS

D1 - Huot

Rob Conway, Manager, presented Application No. 4-I-09DP (Clem Huot) regarding Development Permit and Development Variance Permit for construction of a single-family dwelling built to a height of 11.5 metres at 11617 Cowan Road and in accordance with the provisions of the Watercourse Protection Development Permit Area.

The Committee directed questions to staff.

Clem Huot, applicant, was present. He provided further information and presented pictures showing the adjacent neighbour's view of the lake.

The Committee directed questions to the applicant.

It was Moved and Seconded

1. That Application No. 4-I-09DP by Clem Huot for the construction of a single family dwelling on Lot 4, Section 45, Renfrew District, Plan 19229 be approved, subject to compliance with the measures and recommendations outlined in RAR assessment report No. 1327
2. That Application No. 2-I-09DVP by Clem Huot for a variance to Section 5.1(5) of Zoning Bylaw No. 2465, by increasing the permitted height of a residence from 10 m to 11.5 m on Lot 4, Section 45, Renfrew District, Plan 19229, be approved, subject to the applicant providing a survey confirming compliance with the approved height limit.

MOTION CARRIED

Note: Director Cossey arrived to the meeting at this point.

D2 - Tomaszewski

Mike Tippett, Manager, presented request by Mill Bay Marina for an extension of a development permit Board resolution regarding Application No. 9-A-07DP.

Max Tomaszewski, applicant, was present and explained the request for an extension, citing causes of the delay in fulfilling the conditions. They request a one year period to fulfil the conditions.

The Committee directed questions to staff and the applicant.

It was Moved and Seconded

That the request by Mill Bay Marina Residences Ltd. to extend the validity of CVRD Board Resolution No. 07-830 respecting Application No. 9-A-07DP, be denied and that Board Resolution 07-830 be rescinded.

MOTION CARRIED

D3 - Hartwig

Rob Conway, Manager, presented Application No. 1-A-09DP (Gerald Hartwig) for a development permit for Phase 10 of the Mill Springs development north of Bucktail Road.

Gerald Hartwig, applicant Aecom Canada Ltd., was present and provided further information.

The Committee directed questions to staff and the applicant.

It was Moved and Seconded

1. That Application No. 1-A-09DP (Aecom Canada Ltd./Phase 10, Mill Springs) be approved and the Planning and Development Department be authorized to issue a development permit to 687033 BC Ltd. for an 18 lot phase of subdivision on District Lot 46, Malahat District, except parts in Plan VIP68911, VIP78297, VIP82480 and strata Plan VIS4795 (Phase 3, and 5 to 9) and Except Plan VIP83878, and VIP85356 and VIP85745.
2. That the Ministry of Transportation and Infrastructure be requested to remove the fire gate at Deloume Road (west of Phase 10) and open the road to public traffic.

MOTION CARRIED

D4 - Partridge

Mike Tippett, Manager, presented Application No. 4-D-09DP (Craig Partridge) to allow construction of a 14 unit apartment building at 1670 Botwood Lane, Cowichan Bay.

Karen from Hillel Architecture was present and provided further information.

The Committee directed questions to staff and the applicant.

It was Moved and Seconded

That Application No. 4-D-09DP (Craig Partridge/Ron Sharpe) be approved, and that a development permit be issued to 0708322 B.C. Ltd. for the construction of a 14-unit apartment building on Botwood Lane, Cowichan Bay, on Amended Lot 1 (DD 90309¹) Block N, Section 6, Range 4, Cowichan District, Plan 79 (PID: 009-325-298); Amended Lot 2 (DD EP44723) Block N, Section 6, Range 4, Cowichan District, Plan 79 (PID: 009-329-552); and Amended Lot 3 (DD EP44724) Block N, Section 6, Range 4, Cowichan District, Plan 79, except that part lying West of the East boundary of the Island Highway (PID: 009-329-889), subject to:

- a. submission of a suitable lighting plan which limits off-site glare, prior to permit issuance;
- b. The protection of the building by sprinkling;
- c. Access to the site being acceptable to Cowichan Bay Volunteer Fire Rescue, specifically NFPA 299 and 1141;
- d. Consolidation of the three subject properties into a single lot.

MOTION CARRIED

D5 – De Lisle

Dana Beatson, Planner, presented Application No. 1-F-07ALR (Ian De Lisle) to include 50 hectares of land within Gordon Bay Provincial Park on Gordon River Road into the ALR.

Ian De Lisle, applicant, was not present.

There were no questions from Committee members to staff.

It was Moved and Seconded

That Application No. 1-F-07ALR submitted by Ian De Lisle of Hancock Forest Management made pursuant to Section 17(3) of the *Agricultural Land Commission Act* to include land within the Agricultural Land Reserve (ALR) be forwarded to the Agricultural Land Commission for their consideration with a recommendation to approve the application and further if the application is approved that the portions of the subject properties within the ALR be re-designated from Forestry to Agriculture within the Official Community Plan.

MOTION CARRIED

D6 - CVRD

Dana Beatson, Planner, presented Application No. 3-F-08RS (CVRD) to rezone Lot 1, South Shore Road, Gordon Bay Provincial Park, from A-1 and F-1 to P-1.

There were no questions from Committee members to staff.

It was Moved and Seconded

That Application No. 3-F-08RS (CVRD for Ministry of Environment) to amend Electoral Area F – Cowichan Lake South/Skutz Falls Zoning Bylaw No. 2600 by rezoning Lot 1, Section 37, Renfrew District (Situate in Cowichan Lake District) Plan VIP82826, be approved and that proposed Zoning Amendment Bylaw No. 2981 be forwarded to the Board for consideration of first and second reading; that a public notice process occur in place of a public hearing; and further that the referral to the Ministries of Transportation and Infrastructure, Community and Rural Development, and Environment, the Agricultural Land Commission, Ditidaht First Nation, Lake Cowichan First Nation, Hul'qumi'num Treaty Group be accepted.

MOTION CARRIED

STAFF REPORTS

**SR1 – Building
Permit Fees**

It was Moved and Seconded
That Building Fee Amendment Bylaw No. 3327 be referred back to the Regional Board for consideration of three readings and adoption.

MOTION CARRIED

SR2 – Inwood Creek

It was Moved and Seconded
That consideration of amendment bylaws respecting Application No. 2-E-08RS (Inwood Creek Estates) be referred to the next EASC meeting.

MOTION CARRIED

SR3 - Fireworks

It was Moved and Seconded
That CVRD Ticket Bylaw No. 3209 not be enforced respecting sale and discharge of fireworks during the 2009 Halloween season, and further that the existing Fireworks Safety Awareness Information be made available to the public and require that the Fireworks Operator form be submitted.

MOTION DEFEATED

It was Moved and Seconded
That ticketing only be enforced respecting the “sale of fireworks” and “discharge of fireworks in public places” in accordance with CVRD Ticket Bylaw No. 3209; that the existing Fireworks Safety Awareness Information package be made available to the public and require that the Fireworks Operator form be signed and returned; and further, that the CVRD embark on setting up an education program and permit system for next year’s Halloween season.

MOTION CARRIED

APC

**AP1, AP3, AP4, AP5,
AP6 - Minutes**

It was Moved and Seconded
That the following APC minutes be received and filed:

- Minutes of the Area I APC meeting of October 6, 2009
- Minutes of the Area A APC meeting of September 30, 2009
- Minutes of the Area H APC meeting of September 10, 2009
- Minutes of the Area H APC meeting of September 14, 2009
- Minutes of the Area D APC meeting of September 22, 2009

MOTION CARRIED

AP2 - Resignation

It was Moved and Seconded
That the resignation of Gary Fletcher from the Area H Advisory Planning Commission be accepted and that a very "Special" letter of appreciation for his valuable and lengthy term of service be forwarded to Mr. Fletcher.

MOTION CARRIED

INFORMATION

**IN1 – Thetis Is.
Minutes**

It was Moved and Seconded
That the minutes of the Thetis Island Port Commission meeting of April 27, 2009, be received and filed.

MOTION CARRIED

IN2 – Building Report

It was Moved and Seconded
That the September 2009 Building Report be received and filed.

MOTION CARRIED

NEW BUSINESS

1 – APC resignation

Director Giles advised that Joanne Bond will be replacing John Bertinoli who is retiring from the Area C Advisory Planning Commission. The APC appointment will be going through the Board and a letter of appreciation needs to be sent to Mr. Bertinoli.

It was Moved and Seconded
That the resignation of John Bertinoli from the Area C Advisory Planning Commission be accepted and that a letter of appreciation be forwarded to Mr. Bertinoli.

MOTION CARRIED

2 – Asphalt Recycling

Director Duncan stated that an asphalt batch plant is operating on Allenby Road and requested that staff look into whether or not asphalt recycling is permitted in the I-4 zone.

Mr. Anderson advised that staff will look into the situation and advise on the appropriateness of that activity.

RECESS

The Committee recessed for a short five minute break.

CLOSED SESSION

It was Moved and Seconded
That the meeting be closed to the public in accordance with the *Community Charter* Part 4, Division 3, Section 90(1), subsections as noted in accordance with each agenda item.

MOTION CARRIED

The Committee moved into Closed Session at 5:36 pm.

RISE

The Committee rose and reported as follows:

It was Moved and Seconded
That a zoning amendment bylaw be prepared to amend the Electoral Area E Zoning Bylaw No. 1840 to rezone existing I-2 (Heavy Industrial) zoned properties to a new Forest Industrial zone in order to achieve compliance with Electoral Area E Official Community Plan Bylaw No. 1490. [Section 90(1)(g)]

MOTION CARRIED

ADJOURNMENT

It was Moved and Seconded
That the meeting be adjourned.

MOTION CARRIED

The meeting adjourned at 5:55 pm.

Chair

Recording Secretary